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13 **IN THE UNITED STATES BANKRUPTCY COURT
 14 FOR THE DISTRICT OF NEVADA**

15 In re:
 16 **INFINITY CAPITAL MANAGEMENT,
 17 INC,**

18 **Debtor.**

19 **HASELECT-MEDICAL RECEIVABLES
 20 LITIGATION FINANCE FUND
 21 INTERNATIONAL SP,**

22 **Plaintiff,**

23 **v.**

24 **TECUMSEH-INFINITY MEDICAL
 25 RECEIVABLES FUND, LP,**

26 **Defendant.**

27 **TECUMSEH-INFINITY MEDICAL
 28 RECEIVABLES FUND, LP,**

29 **Counter-Claimant,**

30 **v.**

31 **HASELECT-MEDICAL RECEIVABLES
 32 LITIGATION FINANCE FUND**

33 Case No. 21-14486-abl

34 Chapter 7

35 Adversary Case No. 21-01167-abl

36 **DECLARATION OF CHAD MEYER IN
 37 SUPPORT OF TECUMSEH-INFINITY
 38 MEDICAL RECEIVABLE FUND, LP'S
 39 OPPOSITION TO MOTION FOR
 40 PARTIAL SUMMARY JUDGMENT AS
 41 TO CERTAIN 1-F, 1-I, AND 1-J
 42 ACCOUNTS**

43 Hearing Date: March 30, 2023
 44 Time: 9:30 a.m.

1 INTERNATIONAL SP,
2 Counter-Defendants.
3
4 HASELECT-MEDICAL RECEIVABLES
5 LITIGATION FINANCE FUND
6 INTERNATIONAL SP,
7 Counter-Claimant,
v.
8 TECUMSEH-INFINITY MEDICAL
9 RECEIVABLES FUND, LP,
Counter-Defendant.

I, CHAD MEYER, pursuant to 28 U.S.C. § 1746, declare as follows:

10 1. My name is Chad Meyer. I am over the age of twenty one years, of sound mind,
11 and fully competent to testify in this cause.

12 2. I submit this declaration in support of *Tecumseh–Infinity Medical Receivable Fund,*
13 *LP’s Opposition to Motion for Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J*
14 *Accounts.*

15 3. I am a principal of Tecumseh Alternatives, LLC, the advisor to Tecumseh. In that
16 capacity, I have personal knowledge of the facts stated herein, all of which are true and correct. If
17 called upon to testify regarding the contents of this Declaration, I could and would do so.

The 1-F Accounts

19 4. The 1-F Purchase Order identifies approximately 332 separate 1-F Accounts
20 Tecumseh had agreed to purchase from medical providers for a total price of \$481,023.10.¹ On
21 September 25, 2020, Tecumseh wired the \$481,023.10 purchase price for the 1-F Accounts to
22 Infinity's 8480 Account.² There was no executed bill of sale agreement entered into by and
23 between the Debtor and Tecumseh for the 1-F Receivables.

²⁵ ¹ The 1-F Purchase Order was filed in the chapter 7 case at Main ECF No. 201-9 and designated as “Exhibit D-6”. A copy of the 1-F Purchase Order was also submitted as Exhibit 20 to HASelect’s March 22, 2022 Statement of Undisputed Facts [Adversary ECF No. 55] (the “**March 26, 2022 HASelect Statement of Disputed Facts**”) and as HASelect Exhibit 1 to its *Motion for 27 Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts* [ECF No. 170].

²⁷ See Infinity's September 30, 2020 Nevada State Bank account statement for account ending in 8420 submitted as Exhibit 17 to the March 22, 2022 HASelect Statement of Disputed Facts.

1 5. I and people working under my supervision prepared the Tecumseh Account
 2 Spreadsheets attached to *Tecumseh-Infinity Medical Receivable Funds, LP's Statement of Disputed*
 3 *Facts in Support of Opposition to Motion for Partial Summary Judgment as to Certain 1-F, 1-I,*
 4 *and 1-J Accounts* as Exhibit A, Composite Exhibit B, and Exhibit C and fully incorporated by
 5 reference herein.

6 6. The 1-F Tecumseh Accounts Spreadsheet is a reorganized and simplified version
 7 of the original “TIFDumpWithIncome-Final.xlsx” spreadsheet provided by Infinity to identify
 8 Tecumseh’s receivables with certain information redacted (i.e. patient information) and irrelevant
 9 information (such as lawyer name) removed.

10 7. The Tecumseh Account Spreadsheets are sorted by the “cleared in bank” column.
 11 The “cleared in bank” information was compiled by myself and people working under my
 12 supervision from a comprehensive review of Nevada State Bank account statements for the
 13 Debtor’s 8480 Account, true and correct copies of which are attached to *Tecumseh-Infinity*
 14 *Medical Receivable Funds, LP's Statement of Disputed Facts in Support of Opposition to Motion*
 15 *for Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts* as Composite Exhibit D
 16 and fully incorporated by reference herein.

17 8. Yet, as reflected in the 1-F Tecumseh Accounts Spreadsheet (Exhibit A)
 18 incorporated herein, there are 332 separate 1-F Accounts. HASelect moved for summary
 19 judgement only as to 239 of the 1-F Accounts.³ Of these 239 1-F Accounts, payment for at least
 20 84 receivables were made by checks that were honored by the Nevada State Bank on or after
 21 September 25, 2020, the date of Tecumseh’s wire.⁴ Specifically, Check Nos. 7635, 7638, 7639,
 22 7640, 7641, 7642, 7643, 7644, 7647, 7648, 7651, 7652, and 7663, were all honored on or after
 23
 24
 25

26 ³ For ease of reference, the subset of accounts at issue in HASelect’s Motion have been highlighted
 27 in light green on the 1-F Tecumseh Accounts Spreadsheet (Exhibit A).
 28 ⁴ These receivables are denoted on the 1-F Tecumseh Accounts Spreadsheet (Exhibit A). by red
 highlighting in the far left column.

1 September 25, 2020.⁵ Therefore payment occurred for at least 170 of the total 332 1-F Accounts
 2 on or after Tecumseh's September 25, 2020 wire.

3 **The 1-I Accounts**

4 9. The 1-I Purchase Order– Batches 12 and 13– identifies approximately 843 1-I
 5 Accounts Tecumseh agreed to purchase from medical providers for a total price of \$209,320.99.⁶
 6 On October 14, 2020, Tecumseh wired the \$209,320.99 purchase price for the 1-I Accounts to
 7 Infinity's 8480 Account.⁷ There was no executed bill of sale agreement entered into by and
 8 between the Debtor and Tecumseh for the 1-I Receivables.

9 10. I hereby incorporate paragraphs 5-7 as if fully restated herein.

10 11. As reflected in the 1-I Tecumseh Accounts Spreadsheet (Exhibit B) incorporated
 11 herein, there are 843 separate 1-I Accounts. HASelect moved for summary judgement as to 755 of
 12 the 1-F Accounts.⁸ Of these 755 1-I Accounts, payment for at least 29 receivables were made by
 13 wire from the Debtor's on or after the Debtor's October 14, 2020 receipt of Tecumseh's wire.⁹
 14 Therefore, payment occurred for at least 117 of the total 843 1-F Accounts on or after Tecumseh's
 15 October 14, 2020 wire.

16 **The 1-J Accounts**

17 12. On or about October 23, 2020, a tenth Receivables Purchase Order was generated
 18 by the Debtor (the “**1-J Purchase Order**”) identifying approximately 261 separate accounts
 19 receivable (the “**1-J Accounts**”) Tecumseh agreed to purchase from medical providers for a total
 20

21
 22 ⁵ See Composite Exhibit D, Bates 15 and 19.

23 6 The 1-I Purchase Order was filed in the chapter 7 case at Main ECF No. 201- 012 and designated
 24 as “Exhibit D-9”. A copy of the 1-I Purchase Order was also submitted as Exhibit 27 to the March
 22, 2022 HASelect Statement of Undisputed Facts and as HASelect Exhibit 4 to its *Motion for
 Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts* [ECF No. 170].

25 7 See Infinity's October 30, 2020 Nevada State Bank account statement for account ending in 8420
 26 submitted as Exhibit 26 to the March 22, 2022 HASelect Statement of Disputed Facts.

27 8 For ease of reference, the subset of accounts at issue in HASelect's Motion have been highlighted
 28 in light green on the 1-I Tecumseh Accounts Spreadsheet (Exhibit B).

9 These receivables are denoted on 1-I Tecumseh Accounts Spreadsheet (Exhibit B). by red
 highlighting in the far left column. See also Composite Exhibit D, Bates 19.

1 price of \$136,063.26.¹⁰ On October 26, 2020, Tecumseh wired the \$136,063.26 purchase price for
2 the 1-J Accounts to Infinity's Nevada State Bank account ending in 8480.¹¹ There was no executed
3 bill of sale agreement entered into by and between the Debtor and Tecumseh for the 1-I
4 Receivables.

5 13. I hereby incorporate paragraphs 5-7 as if fully restated herein.

6 14. As reflected in the 1-J Tecumseh Accounts Spreadsheet (Exhibit C) incorporated
7 herein, there are 261 separate 1-J Accounts. HASelect moved for summary judgement as to 127
8 of the 261 1-J Accounts.¹² In other words, there are at least 134 of the 261 1-J Accounts that
9 HASelect acknowledges Tecumseh funded. Of the remaining 127 1-J Accounts subject to
10 HASelect's Motion, payment for at least 77 receivables were made by checks that were honored
11 by the Nevada State Bank on or after the Debtor's October 26, 2020 receipt of Tecumseh's wire.¹³
12 Specifically, Check Nos. 6701, 6728, 6729, 6730, 6731, 6733, 6734, 6735, 6736, 6737, 6738,
13 6739, 6740, 6741, 6742, 6743, 6744, 6745, and 6746 were all honored on or after October 26,
14 2020.¹⁴ Therefore, payment occurred for at least 211 of the total 261 1-J Accounts on or after
15 Tecumseh's October 26, 2020 wire.¹⁵

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct.

18 || Dated: February 23, 2023

Chad Meyer

¹⁰ The 1-J Purchase Order was filed in the chapter 7 case at Main ECF No. 201-013 and designated as “Exhibit D-10”. A copy of the 1-J Purchase Order was also submitted as Exhibit 28 to the March 22, 2022 HASelect Statement of Undisputed Facts, and as HASelect Exhibit 6 to its Motion.

²³ ²⁴ ¹¹ See Infinity's October 30, 2020 Nevada State Bank account statement for account ending in 8420 submitted as Exhibit 26 to the March 22, 2022 HASelect Statement of Disputed Facts.

¹² For ease of reference, the subset of accounts at issue in HASelect's Motion have been highlighted in light green on the 1-F Tecumseh Accounts Spreadsheet (Exhibit C).

¹³ These receivables are denoted on the 1-F Tecumseh Accounts Spreadsheet ([Exhibit C](#)), by red highlighting in the far left column. *See also* Composite Exhibit D, Bates No. 19, 23 and 27.

²⁷ ¹⁴ See Composite Exhibit D, Bates No. 19, 23, and 27.

28 || 15 Id